

# **JUDICIAL BRANCH INDIGENT LEGAL SERVICES COMMISSION**

**Type:** Commission, Tri-Branch  
**Established:** May 5, 2008  
**Chair:** Senior Associate Justice Robert W. Clifford  
**Report date:** November 14, 2008  
**Reports to:** Supreme Judicial Court  
**Completion Date:** June 30, 2009

## **I. Commission Established**

The Judicial Branch Indigent Legal Services Commission is hereby established, in cooperation with the Executive and Legislative Branches, (1) to study how Maine currently provides legal representation to indigent citizens as required by the United States Constitution and the Constitution and laws of Maine, and (2) to identify ways to improve the availability of and support for constitutionally required legal services.

## **II. Goal**

An indigent legal services system that makes quality legal representation available to Maine's indigent population from lawyers who receive adequate compensation, training, and support services based on a sustainable and responsible funding mechanism.

## **III. Duties:**

The Commission will:

- A.** Review all aspects of the current court appointed counsel system within the Judicial Branch, including, but not limited to, (1) current methods for appointing lawyers to represent clients or act as guardians ad litem, (2) the compensation paid to court appointed attorneys, and (3) the mechanism currently in place to fund indigent legal services;
- B.** Investigate and consider alternative methods of organizing and funding indigent legal services, giving consideration to both the

experience of other states and to Maine's unique characteristics and legal culture;

- C. Consider the adequacy of current training and support services for court appointed counsel;
- D. Report its findings and recommend actions needed to improve the current system, including initiatives by stakeholders, reform of administrative procedures, and statutory changes.

#### **IV. Authority:**

The Commission may seek input, suggestions, and recommendations from individuals and groups within and outside the Judicial Branch. The Commission may invite consultants to its meetings as needed.

The Commission Chair may establish subgroups to study designated issues and report recommendations for consideration by the Commission as a whole.

There is no funding authorized for the work of the Commission.

#### **V. Membership:**

The membership in the Commission shall consist of members from the Executive, Legislative, and Judicial Branches of Maine State Government, as well as representatives of interested stakeholder organizations, individual attorneys, and others with valuable knowledge and experience to contribute. The specific names shall be listed in a separate membership roster, and membership may be changed or expanded as ordered by the Chief Justice.

#### **VI. Meetings:**

The Commission shall meet as often as is necessary to fulfill its responsibilities. The Chair shall schedule the meetings of the Commission.

## **VII. Reporting:**

The Commission shall report its findings and recommendations to the Supreme Judicial Court on or before November 14, 2008.

## **VIII. Commission Duration:**

Unless the Chief Justice extends this charter, the Commission will cease to exist on June 30, 2009.

Dated: May 12, 2008

Approved by:

/s

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Leigh I. Saufley  
Chief Justice,

**JUDICIAL BRANCH  
INDIGENT LEGAL SERVICES COMMISSION  
MEMBERSHIP ROSTER**

**Judicial Branch**

Hon. Robert W. Clifford, Senior Associate Justice (**Chair**)  
Hon. Arthur Brennan, Superior Court Justice  
Hon. Peter Goranites, District Court Judge  
Hon. John David Kennedy, District Court Judge  
Tracie Adamson, Family Division Manager  
John Pelletier, Criminal Process Manager

**Executive Branch**

Michael Mahoney, Chief Legal Counsel, Governor's Office  
Denise Lord, Associate Commissioner, Department of Corrections  
William Stokes, Deputy Attorney General (Criminal Division Chief)  
Janice Stuver, Assistant Attorney General (Child Protection Division Chief)  
Geoffrey Rushlau, Maine Prosecutor's Association

**Legislative Branch**

Hon. William Diamond, Maine State Senate  
Hon. Stan Gerzofsky, Maine House of Representatives  
Hon. David Hastings, Maine State Senate  
Hon. Dawn Hill, Maine House of Representatives  
Hon. Barry Hobbins, Maine State Senate  
Hon. Deborah L. Simpson, Maine House of Representatives

**Stakeholder Representatives**

Brett Baber, Maine State Bar Association  
C. Donald Briggs, III, Maine Trial Lawyers Association  
Sharon Craig, MSBA Child Protection/Juvenile Justice Section  
Zach Heiden, Maine Civil Liberties Union  
Walt McKee, Maine Association of Criminal Defense Attorneys  
Robert A. Moore, Business Community  
Robert Ruffner, Maine Indigent Defense Center

**Individual Members**

Sheila A. Cook, Esq. (Portland, Maine)  
Amy L. Fairfield, Esq. (Kennebunk, Maine)  
Margot Joly, Esq. (Wilton, Maine)  
Maurice R. Porter, Esq. (Norway, Maine)  
Ron Schneider, Esq. (Bernstein Shur Sawyer & Nelson)  
Christopher M. Northrop, Esq. (University of Maine school of Law)

**CONSULANT**

Deb Carson, Director of Court Finance

Commission members may be reached at [ILSC@maine.gov](mailto:ILSC@maine.gov)